

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

FILE COPY

IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

THEODORE L. TAYLOR, D.D.S.  
RESPONDENT.

FINAL DECISION AND ORDER  
91 DEN 48

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Theodore L. Taylor, D.D.S.  
15655 North Avenue  
Brookfield, WI 53005

Wisconsin Dentistry Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Theodore L. Taylor ("Taylor") is and was at all times relevant to the events set forth herein a dentist licensed to practice in the State of Wisconsin pursuant to license # 4001379, granted on June 27, 1957.

2. By Voluntary Assurance dated April 8, 1987, a copy of which is attached marked Exhibit A and incorporated by reference, Taylor assured the Board that he would comply in a timely manner with the registration requirements for each of the dental x-radiation installations ("installations") under his control.

3. Subsequently, Taylor did register the installations under his control, but not in a timely manner as required.

4. Taylor would testify that there were mitigating circumstances that accounted for the delay in registration, including confusion over his responsibility for installations in a former office and cash flow problems. Taylor agrees these reasons are insufficient to excuse his delinquency.

5. Taylor assures the Board that having come into compliance with the registration requirements, he will continue to comply in a timely manner.

#### CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction to act in this matter pursuant to Secs. 15.08(5) and 447.07(3), Wis. Stats.

2. The Wisconsin Dentistry Examining Board is authorized to enter into the attached Stipulation pursuant to Sec. 227.44(5), Wis. Stats.

3. Respondent Theodore L. Taylor is subject to disciplinary action pursuant to secs. DE 5.02(15) and (20), by failing to comply with the requirements of sec. 140.54, Wis. Stats, a law which substantially relates to the practice of a dentist.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Respondent Theodore L. Taylor will pay a forfeiture of Two Hundred (\$200.00) Dollars to the Department of Regulation and Licensing within six (6) months of the date this Order is entered and will comply with the requirements of the law concerning the registration of ionizing radiation installations.

IT IS FURTHER ORDERED, that investigative file 91 DEN 48 be closed.

Dated this 8 day of January, 1992.

WISCONSIN DENTISTRY EXAMINING BOARD

by: Thomas C. Brunell DDS

Exhibit A

VOLUNTARY ASSURANCE

My name is Theodore Taylor, D.D.S. I am currently licensed to practice dentistry in the State of Wisconsin. I am aware that Wis. Adm. Code sec. DE 5.02(15) defines unprofessional conduct to include "violating any law . . . the circumstances of which substantially relate to the practice of a dentist or dental hygienist."

I am further aware that Wis. Stat sec. 140.54 requires annual registration of every radiation installation in the state by January 1 of each year. I realize that failure to register a radiation installation under my control would be considered violation of a law substantially related to the practice of dentistry and could subject me to discipline.

By signing this voluntary assurance, I am assuring the Dentistry Examining Board that I have currently registered any radiation installation under my control and that I will comply with the requirement for annual registration in the future.

Dated:

8 April 1987

Theodore Taylor, D.D.S.

*Theodore L. Taylor*  
D.D.S.

REH:dms

tpc108-659

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
THEODORE L. TAYLOR, D.D.S.	:	91 DEN 48
RESPONDENT.	:	

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It is hereby stipulated between Theodore L. Taylor, personally on his own behalf and the Department of Regulation and Licensing, Division of Enforcement by its attorney Richard Castelnuovo, as follows:

1. This Stipulation is entered into as a result of a pending investigation of licensure of Theodore L. Taylor ("Respondent") by the Division of Enforcement (91 DEN 48). Respondent consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.

2. Respondent is aware and understands his rights with respect to disciplinary proceedings, including the right to a statement of the allegations against him; the right to a hearing at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel attendance of witnesses by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Board.

4. Respondent is aware of his right to seek legal representation and has been given the opportunity to seek legal advice prior to execution of this Stipulation.

5. Respondent represents that he is now in compliance with the registration requirements for any ionizing radiation installation under his control, and assures the Board that he will comply with such requirements in the future.

6. With respect to the attached Final Decision and Order, Respondent admits the facts set forth in the Findings of Fact, and further agrees that the Board may reach the conclusions set forth in the Conclusions of Law and enter the Order requiring Respondent to pay a forfeiture of Two Hundred (\$200.00) Dollars and requiring compliance with the requirements of the law concerning the registration of ionizing radiation installations.

7. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

8. If the Board accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

9. Respondent agrees that complainant's attorney, Richard M. Castelnovo, may appear at any deliberative meeting of the Board with respect to this Stipulation but that appearance is limited to statements solely in support of the Stipulation and for no other purpose.

10. The Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

Theodore L. Taylor, D.E.S.  
Theodore L. Taylor

Date

11-20-91

Rich Castelnovo  
Richard M. Castelnovo, Attorney  
Division of Enforcement

Date

11/26/91

## **NOTICE OF APPEAL INFORMATION**

**(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each, and the identification  
of the party to be named as respondent)**

**The following notice is served on you as part of the final decision:**

### **1. Rehearing.**

**Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with** The State of Wisconsin Dentistry Examining Board.

**A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.**

### **2. Judicial Review.**

**Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon** The State of Wisconsin Dentistry Examining Board

**within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.**

**The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following:** The State of Wisconsin Dentistry Examining Board.

**The date of mailing of this decision is** JANUARY 9, 1992.